IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITIN NO.8404 OF 2006

Babu N. Chauhan ....Petitioner
V/s.
The State of Maharashtra & Ors. ....Respondents

WITH

WRIT PETITIN NO.8405 OF 2006

Rajesh S. Chauhan ....Petitioner
V/s.
The State of Maharashtra & Ors. ....Respondents

WITH

WRIT PETITIN NO.8406 OF 2006

Veljibhai A. Bammaniya ....Petitioner
V/s.
The State of Maharashtra & Ors. ....Respondents

WITH

WRIT PETITIN NO.8407 OF 2006

Bhikubhai B. Solanki ....Petitioner
V/s.
The State of Maharashtra & Ors. ....Respondents

WITH

WRIT PETITIN NO.8408 OF 2006

Rajesh R. Bammaniya ....Petitioner
V/s.
The State of Maharashtra & Ors. ....Respondents

WITH

WRIT PETITIN NO.8409 OF 2006

Suresh R. Bambhania ....Petitioner
V/s.
The State of Maharashtra & Ors. ....Respondents

WITH

WRIT PETITIN NO.8410 OF 2006

Veljibhai A. Bammaniya ....Petitioner
V/s.
The State of Maharashtra & Ors. ....Respondents

Ms.Kranti S.S. Anand for the Petitioners.
Mr.P.I. Khemani, AGP for Respondent Nos.1 and 2.
Mr.J.G. Reddy for Respondent No.3.
Mr.A.G. Shah for Respondent No.4.

CORAM : S.J. VAZIFDAR, J.
DATED : 12TH JANUARY, 2007.

P.C. :

1. The impugned order warrants no interference. The order has in detail set out the reasons for not condoning the delay in filing the application challenging the notification of the property as a slum. The declaration was in the year 1985.

2. It is difficult to accept the Petitioners' contention that they were unaware of the same. For instance the improvement and construction work has

been going on on the property admittedly since 2002. As of date a seven storied building has come up on the property. In the correspondence carried out by the Petitioners with various authorities they have referred to the work. They have also referred to the S.R.A. scheme.

3. In these circumstances, the Tribunal was not unjustified in holding that the delay in challenging the notification issued twenty years ago ought not to be condoned.

4. Faced with this the Petitioners raised various grievances with respect to the implementation of the scheme. These aspects are however not relevant in a challenge to the notification declaring the property to be a slum. It is however, clarified that this order does not in any manner affect the rights of the Petitioners to agitate any rights or grievances they may have in respect of the actual construction work or in respect of the implementation of the scheme.

5. The above Writ Petitions are accordingly dismissed.

6. The Respondents shall maintain status-quo in respect of the structures occupied by the Petitioners and/or their tenants for a period of four weeks from today.

7. All parties to act on an ordinary copy of this order duly authenticated by the Private Secretary of this Court.